

1 David J. Merrill  
2 Nevada Bar No. 6060  
3 David J. Merrill, P.C.  
4 10161 Park Run Drive, Suite 150  
5 Las Vegas, Nevada 89145  
6 Telephone: (702) 566-1935  
7 E-mail: david@djmerrillpc.com  
8 Counsel for Brian Shapiro, Trustee  
9 of the R & S St. Rose Lenders, LLC  
10 Liquidation Trust

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

In re:  
R & S ST. ROSE, LLC,  
Debtor.

Case No. 2:17-CV-01301-MMD  
Bankruptcy Case No.: 11-14974-mkn  
Chapter 11

BRANCH BANKING AND TRUST  
COMPANY,

Appellant,

v.

R & S ST. ROSE LENDERS, LLC; R &  
S ST. ROSE, LLC; R & S INVESTMENT  
GROUP, LLC; COMMONWEALTH  
LAND TITLE INSURANCE COM-  
PANY; THE CREDITOR GROUP; and  
THE U.S. TRUSTEE,

Appellees.

*Stipulation and Order for Extension of  
Time to File Answering Brief  
(Second Request)*

The parties stipulate as follows:

1. On April, 11, 2018, the Court entered a Stipulation and Order for Ex-  
tension of Time to File Answering Brief because the parties were engaged in new  
settlement discussions. (ECF No. 32.) The order required the appellees to file an an-  
swering brief on or before April 27, 2018. (*See id.*)

1       2. The parties stipulate to further extend the time for the appellees to file  
2 an answering brief to May 2, 2018.

3       3. The reason for the requested extension is two-fold. First, to enable the  
4 parties to continue the settlement discussions, which are on-going. Second, special  
5 counsel for Appellee R & S St. Rose Lenders, LLC, who is drafting the answering  
6 brief, had a family emergency arise on April 19 that has continued through April 25.

7       4. To enable the parties to engage in further settlement negotiations and  
8 accommodate counsel's family emergency, the parties stipulate that the appellees  
9 shall have up to and including May 2, 2018, to file their answering brief. The appell-  
10 lant shall then have up to and including May 16, 2018, to file any reply brief.

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1           5. The parties have not entered into this stipulation for any purpose of  
2 delay.

3           Dated this 26th day of April 2018.

4           David J. Merrill, P.C.

5           By: /s/ David J. Merrill  
6           David J. Merrill  
7           10161 Park Run Drive, Suite 150  
8           Las Vegas, Nevada 89145  
9           Attorney for Brian Shapiro as Trustee  
10          of the R & S St. Rose Lenders, LLC Liq-  
11          uidation Trust

12          Early Sullivan Wright Gizer & McRae,  
13          LLP

14          By: /s/ Scott E. Gizer  
15          Scott E. Gizer  
16          601 South 7th St., 2nd Floor  
17          Las Vegas, Nevada 89101  
18          Attorneys for Commonwealth Land Ti-  
19          tle Insurance Company

20          Holley Driggs Walch Fine Wray Puzey  
21          & Thompson

22          By: /s/ Ogonna M. Brown  
23          Ogonna M. Brown  
24          400 South 4th St., 3rd Floor  
25          Las Vegas, Nevada 89101  
26          Attorneys for R & S Investment Group

27          Schwartz Flansburg, PLLC

28          By: /s/ Samuel A. Schwartz  
29          Samuel A. Schwartz  
30          6623 Las Vegas Blvd. S., #300  
31          Las Vegas, Nevada 89119  
32          Attorneys for R & S St. Rose, LLC

33           Holland & Hart LLP

34          By: /s/ Joseph G. Went  
35          Joseph G. Went  
36          9555 Hillwood Drive, 2nd Floor  
37          Las Vegas, Nevada 89134  
38          Attorneys for Branch Banking and  
39          Trust Company

40          Ghandi Deeter Blackham

41          By: /s/ Nedda Ghandi  
42          Nedda Ghandi  
43          725 South 8th Street, Suite 100  
44          Las Vegas, Nevada 89101  
45          Attorney for Brian Shapiro as Trustee  
46          of the R & S St. Rose Lenders, LLC Liq-  
47          uidation Trust

48          Garman Turner Gordon

49          By: /s/ Talitha Gray Kozlowski  
50          Talitha Gray Kozlowski  
51          650 White Drive, Suite 100  
52          Las Vegas, Nevada 89119  
53          Attorneys for the Creditor Group

54          IT IS SO ORDERED:

55            
56          UNITED STATES DISTRICT JUDGE  
57          DATED: April 30, 2018